

ORDINANCE _____

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Sections 23.47.024, 23.54.015, and 25.05.675 to modify open space requirements for residential uses in commercial zones and modify parking requirements for multifamily uses within the First Hill Urban Center Village, implementing the First Hill neighborhood plan and correcting minor errors.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.47.024 of the Seattle Municipal Code, which Section was last amended by Ordinance 121196, is amended as follows:

23.47.024 Open space standards.

Usable open space is intended for use by the residents of the development or structure, and shall be required for all residential uses in mixed use development, single-purpose residential structures, and structures with one or more live-work units not located at street level, according to the following:

A. Open Space Quantity.

1. Except as provided in subsection 2, ((U)) usable open space shall be required for all residential uses in an amount equal to twenty (20) percent of the structure's gross floor area in residential use. Calculation of a structure's gross floor area, for the purposes of this subsection, shall exclude area used for mechanical equipment, accessory parking and unenclosed decks, balconies or porches.

2. Within the First Hill Urban Village, a minimum of twenty-five (25) percent of the lot area shall be provided as usable open space, except that in no case shall the open space requirement be greater than three hundred (300) square feet per unit.

B. Open Space Development Standards.

1 1. (~~When permitted, required~~) Required usable open space may be provided at
2 ground level or may be provided above the ground in the form of balconies, decks, solaria,
3 greenhouses, or roof gardens or decks.

4 2. Balconies and decks provided above the ground as open space shall have a
5 minimum area of sixty (60) square feet and no horizontal dimension shall be less than six (6)
6 feet.
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8 3. Usable open space at ground level, and roof gardens, solaria, and
9 greenhouses provided above ground as open space shall have a minimum area of two hundred
10 fifty (250) square feet. No horizontal dimension shall be less than ten (10) feet.
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12 4. Required usable open space is permitted at the front, sides, or rear of the
13 structure.

14 5. Parking areas, driveways, and pedestrian access to the nonresidential, live-
15 work or residential entrances, except for pedestrian access meeting the Washington State
16 Building Code, Chapter 11 -- Accessibility, shall not be counted as open space.
17

18 6. Required open space shall be landscaped according to standards
19 promulgated by the Director.

20 7. When a transmitting antenna is sited or proposed to be sited on a rooftop where
21 required open space is located, see Section 23.57.012.
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23 Section 2. Chart A to Section 23.54.015 of the Seattle Municipal Code, which Section
24 was last amended by Ordinance 121196, is amended as follows:
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Chart A

for Section 23.54.015
PARKING

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
Adult family home	1 space for each dwelling unit
Adult motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Adult panoram	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Airport, land-based (waiting area)	1 space for each 100 square feet
Airport, water-based (waiting area)	1 space for each 100 square feet
Animal services	1 space for each 350 square feet
Animal husbandry (retail area only)	1 space for each 350 square feet
Aquaculture (retail area only)	1 space for each 350 square feet
Artist's studio/dwelling	1 space for each dwelling unit
Assisted living facility ²	1 space for each 4 assisted living units plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space; plus loading berth requirements per Section 23.54.035
Automotive parts or accessory sales	1 space for each 350 square feet
Ball courts	1 space per court
Bed and breakfast	1 space for each dwelling, plus 1 space for each 2 guest rooms or suites
Bowling alley	5 spaces for each lane

1	Business support services	1 space for each 2,000 square feet
2	Business incubators	1 space for each 1,000 square feet
3	Carwash	1 space for each 2,000 square feet
4	Caretaker's quarters	1 space for each dwelling unit
5	Cargo terminal	1 space for each 2,000 square feet
6	Cemetery	None
7	Child care center ^{1,9}	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus
8		1 loading and unloading space for each 20 children
9		
10	Colleges	A number of spaces equal 15 percent of the maximum number of students present at peak hour; plus
11		30 percent of the number of employees present at peak hour; plus
12		1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
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17	Commercial laundries	1 space for each 2,000 square feet
18	Commercial moorage	1 space for each 140 lineal feet of moorage
19	Communication utilities	1 space for each 2,000 square feet
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21		
22	Community centers ^{1,2} and Community clubs ^{1,2}	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
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26	Community centers owned and operated by the Seattle Department of Parks and Recreation	1 space for each 555 square feet
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1	(DOPAR) ^{1,2,3}	
2	Congregate residences	1 space for each 4 residents
3	Construction services	1 space for each 2,000 square feet.
4	Custom and craft work	1 space for each 1,000 square feet
5	Dance halls (dance floor and table area)	1 space for each 100 square feet
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7	Drinking establishment	1 space for each 200 square feet.
8	Dry storage of boats	1 space for each 2,000 square feet
9	Family support centers located in community centers owned and operated by the Seattle DOPAR ³	1 space for each 100 square feet
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11	Floating homes	1 space for each dwelling unit
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13	Food processing for human consumption	1 space for each 1,000 square feet
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15	Gas station	1 space for each 2,000 square feet
16	General retail sales and services	1 space for each 350 square feet
17	Ground-floor businesses in multifamily zones	None, maximum of 10 spaces
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19	Heavy commercial services	1 space for each 2,000 square feet
20	Heliports (waiting area)	1 space for each 100 square feet
21	High-impact uses	1 space for each 1,500 square feet or as determined by the Director
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23	Horticultural uses (retail area only)	1 space for each 350 square feet
24	Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 space for each 6 beds
25		
26	Hotels	1 space for each 4 sleeping rooms or suites
27	Institute for advanced study ¹	1 space for each 1,000 square feet of administrative offices and similar spaces; plus
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	1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
Institutes for advanced study in single-family zones (existing)	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater
Kennel	1 space for each 2,000 square feet
Lecture and meeting hall	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Library ¹⁰	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
Live-work unit	1 space for each unit; plus the number of spaces required for the nonresidential portion for live-work units greater than 2,500 square feet, based on the most similar nonresidential use
Major durables, sales, service, and rental	1 space for each 2,000 square feet
Manufacturing, general	1 space for each 1,500 square feet
Manufacturing, heavy	1 space for each 1,500 square feet
Manufacturing, light	1 space for each 1,500 square feet
Marine service station	1 space for each 2,000 square feet
Medical services	1 space for each 350 square feet
Miniature golf	1 space for each 2 holes
Mini-warehouse	1 space for each 30 storage units

1	Mobile home park	1 space for each mobile home
2	Mortuary services	1 space for each 350 square feet
3	Motels	1 space for each sleeping room or suite
4	Motion picture studio	1 space for each 1,500 square feet
5	Motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
6	Multifamily uses, ⁴ except as otherwise provided below ¹³	Development sites containing 2—10 dwelling units: 1.1 spaces for each dwelling unit
7		Development sites containing 11—30 dwelling units: 1.15 spaces for each dwelling unit
8		Development sites containing 31—60 dwelling units: 1.2 spaces for each dwelling unit
9		Development sites containing more than 60 dwelling units: 1.25 spaces for each dwelling unit
10		In addition, for all multifamily uses whose average gross floor area per dwelling unit, excluding decks and all portions of a structure shared by multiple dwelling units, exceeds 500 square feet, an additional .0002 spaces per square foot in excess of 500 shall be required up to a maximum additional .15 spaces per dwelling unit; and
11		When at least 50 percent of the dwelling units in a multifamily use have 3 bedrooms, an additional .25 spaces per bedroom for each unit with 3 bedrooms shall be required; and
12		Any multifamily use that contains a dwelling unit with 4 or more bedrooms shall be required to provide an additional .25 spaces per bedroom for each unit with 4 or more bedrooms ⁵
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25	Multifamily uses containing dwelling units with 2 or more bedrooms, when within the area impacted by the University of Washington as shown on Map A following this section, unless	1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above. ⁵

another provision below allows fewer parking spaces	
Multifamily uses, when within the Alki area as shown on Map B following this section, unless another provision below allows fewer parking spaces	1.5 spaces for each dwelling unit
Multifamily uses, for development sites that contain a total of 10 or fewer dwelling units, all in ground-related structures	1 space for each dwelling unit
Multifamily uses, when located in Center City neighborhoods ¹² , for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by the United States Department of Housing and Urban Development (HUD) ¹⁴ , for the life of the building	0.33 space for each dwelling unit with 2 or fewer bedrooms, and 0.5 space for each dwelling unit with 3 or more bedrooms
Multifamily uses, when located in Center City neighborhoods ¹² , for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD ¹⁴ , for the life of the building	0.5 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
Multifamily uses, when located outside of Center City neighborhoods ¹² , for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30	0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms

percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD ¹⁴ , for the life of the building	
Multifamily uses, when located outside of Center City neighborhoods ¹² , for each dwelling unit with 2 or fewer bedrooms rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD ¹⁴ , for the life of the building	0.75 spaces for each dwelling unit
Multifamily uses occupied by low-income elderly households	1 space for each 6 dwelling units
Multifamily uses occupied by low-income disabled households	1 space for each 4 dwelling units
Multifamily uses occupied by low-income elderly/low-income disabled households	1 space for each 5 dwelling units

Multifamily uses, when within the Seattle Cascade Mixed zone, ((ØÆ)) the Pike/Pine Overlay District, <u>or the First Hill Urban Village</u>	1 space for each dwelling unit
Multifamily uses, when within the Pike/Pine Overlay District, for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 60 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD, at rent not exceeding 30 percent of 60 percent of median family income, adjusted for household size, for the life of the building	1 space for every 2 dwelling units
Multipurpose convenience store	1 space for each 350 square feet
Museum ¹	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
Nonhousehold sales and services, except sales, service and rental of office equipment	1 space for each 2,000 square feet
Nursing homes ⁶	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
Office, administrative	1 space for each 1,000 square feet
Office, customer service	1 space for each 350 square feet
Outdoor storage	1 space for each 2,000 square feet

1	Parks	None
2	Participant sports and recreation, indoor or outdoor, unless otherwise 3 specified	1 space for each 350 square feet
4	Passenger terminals (waiting area)	1 space for each 100 square feet
5	Performing arts theater	1 space for each 8 fixed seats or 1 space for each 6 100 square feet of spectator assembly area not 7 containing fixed seats
8	Personal transportation services	1 space for each 2,000 square feet
9	Playgrounds	None
10	Power plants	1 space for each 2,000 square feet
11	Private club ¹	1 space for each 80 square feet of floor area of 12 all auditoria and public assembly rooms not 13 containing fixed seats; or 14 1 space for every 8 fixed seats for floor area 15 containing fixed seats; or 16 if no auditorium or assembly room, 1 space for 17 each 350 square feet, excluding ball courts
16	Railroad rights-of-way	None
17	Railroad switchyard with or without 18 mechanized hump	1 space for each 2,000 square feet
19	Recreational marinas	1 space for each 75 lineal feet of moorage
20	Recycling center	1 space for each 2,000 square feet
21	Recycling collection station	None
22	Religious facility ¹	1 space for each 80 square feet of all auditoria 23 and public assembly rooms
24	Research and development 25 laboratory	1 space for each 1,000 square feet
26	Restaurant	1 space for each 200 square feet
27	Sale and rental of large boats	1 space for each 2,000 square feet

1	Sale and rental of motorized vehicles	1 space for each 2,000 square feet
2	Sale of boat parts and accessories	1 space for each 350 square feet
3	Sale of heating fuel	1 space for each 2,000 square feet
4	Sales, service and rental of commercial equipment	1 space for each 2,000 square feet
5	Sales, service and rental of office equipment	1 space for each 350 square feet
6	Salvage yard	1 space for each 2,000 square feet
7	School, private elementary and secondary ^{1,2}	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
8	School, public elementary and secondary ^{1,2,7}	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site
9	Sewage treatment plant	1 space for each 2,000 square feet
10	Single-family dwelling units	1 space for each dwelling unit
11	Skating rink (rink area)	1 space for each 100 square feet
12	Solid waste transfer station	1 space for each 2,000 square feet
13	Spectator sports facility ¹¹	1 space for each 10 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
14	Sport range	1 space for each 2 stations
15	Swimming pool (water area)	1 space for each 150 square feet
16	Transit vehicle base	1 space for each 2,000 square feet
17	Universities ⁸	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 space for each 100 square feet of spectator assembly area

	in outdoor spectator sports facilities
Utility service uses	1 space for each 2,000 square feet
Vehicle and vessel repair	1 space for each 2,000 square feet
Vocational or fine arts school	1 space for each 2 faculty plus full-time employees; plus 1 space for each 5 students (based on the maximum number of students in attendance at any one time)
Warehouse	1 space for each 1,500 square feet
Wholesale showroom	1 space for each 1,500 square feet

Section 3. Section 25.05.675 of the Seattle Municipal Code, which Section was last amended by Ordinance 120928, is amended as follows:

25.05.675 Specific environmental policies.

M. Parking.

1. Policy Background.

a. Increased parking demand associated with development projects may adversely affect the availability of parking in an area.

b. Parking regulations to mitigate most parking impacts and to accommodate most of the cumulative effects of future projects on parking are implemented through the City's Land Use Code. However, in some neighborhoods, due to inadequate off-street parking, streets are unable to absorb parking spillover. The City recognizes that the cost of providing additional parking may have an adverse effect on the affordability of housing.

2. Policies.

1 a. It is the City's policy to minimize or prevent adverse parking impacts
2 associated with development projects.

3 b. Subject to the overview and cumulative effects policies set forth in
4 SMC Sections 25.05.665 and 25.05.670, the decisionmaker may condition a project to mitigate
5 the effects of development in an area on parking; provided that:

6 i. No SEPA authority is provided to mitigate the impact of
7 development on parking availability in the downtown zones;

8 ii. In the Seattle Cascade Mixed (SCM) zone and for residential
9 uses located within the Pike/Pine Overlay District or the First Hill Urban Village, no SEPA
10 authority is provided for the decisionmaker to require more parking than the minimum required
11 by the Land Use Code;

12 iii. Parking impact mitigation for multifamily development, except
13 in the Alki area, as described in subsection M2c below, may be required only where on-street
14 parking is at capacity, as defined by Seattle Transportation or where the development itself
15 would cause on-street parking to reach capacity as so defined.

16 c. For the Alki area, as identified on Exhibit 2, a higher number of spaces
17 per unit than is required by SMC Section 23.54.015 may be required to mitigate the adverse
18 parking impacts of specific multifamily projects. Projects that generate a greater need for
19 parking and that are located in places where the street cannot absorb that need -- for example,
20 because of proximity to the Alki Beach Park -- may be required to provide additional parking
21 spaces to meet the building's actual need. In determining that need, the size of the development
22 project, the size of the units and the number of bedrooms in the units shall be considered.
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d. Parking impact mitigation for projects outside of downtown zones may include but is not limited to:

- i. Transportation management programs;
- ii. Parking management and allocation plans;
- iii. Incentives for the use of alternatives to single-occupancy vehicles, such as transit pass subsidies, parking fees, and provision of bicycle parking space;
- iv. Increased parking ratios, unless the project is located within the Seattle Cascade Mixed (SCM) zone, ~~((or))~~ the Pike/Pine Overlay District, or the First Hill Urban Village; and

v. Reduced development densities to the extent that it can be shown that reduced parking spillover is likely to result; provided, that parking impact mitigation for multifamily development may not include reduction in development density.

Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2003, and signed by me in open

session in authentication of its passage this ____ day of _____, 2003.

President _____ of the City Council

Approved by me this ____ day of _____, 2003.

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Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2003.

City Clerk

(Seal)